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(757) 322-4771

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North Carolina Department of Justice  
Attn: Mr. Robert Gelblum, Esq.  
Environmental Division  
P.O. Box 629  
Raleigh, North Carolina 27602-0629

Re: Selected Remedial Action Operable Unit 3  
MCAS Cherry Point NPL Site, North Carolina

Dear Mr. Gelblum:

Thank you for your letter of July 25, 1996. I am the assigned counsel at the Atlantic Division, Naval Facilities Engineering Command for the MCAS Cherry Point Installation Restoration Program. As your clients have probably told you, the Atlantic Division is responsible for managing and executing the Navy-Marine Corps installation restoration program for MCAS Cherry Point, which encompasses CERCLA remediations as well as some RCRA and UST remediation work. In that role, I will also be lead attorney in federal facility agreement negotiations which may ensue between the Marine Corps, EPA, and State of North Carolina as a result of the NPL listing.

I understand from my clients that they are working to provide the requested information to your clients. Thus, I believe we are in the process of providing the information you request, and will keep you advised. As far as the "extent practicable" language when referring to the NCP is concerned, we are aware of no significant deviation from the NCP in the remedy selection process.

As you are aware, land use restrictions as a remedy is a topic of current interest among the Navy and Marine Corps hierarchy. I am engaged in that discussion, since land use

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restrictions are a significant tool for our remedial efforts. I will advise you of any development or changes. Please let me know of any further concerns or developments at your end. In particular, I understand that the enforceability of institutional controls in whatever forum are of interest to you.

Feel free to get in touch with me on this matter as necessary. I can be reached at (757)322-4771, FAX (757)322-4825. I look forward to working with you.

Sincerely,

D. S. SHEPHERD  
Assistant Counsel

Copy to:

MCAS Cherry Point (Mr. G. Radford)  
COMNAVFAC (Mr. Ray Goldstein)  
Eastern Area Counsel's Office (LCOL Wunder)  
OAGC (14E, Mr. Shafer, Ms. Ryan)

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